

# 2025 Updated Student Discipline Rules

## Frequently Asked Questions

### Introduction

The Office of Superintendent of Public Instruction (OSPI) Student Engagement and Special Programs Division is committed to ensuring that all students in Washington state have equitable access to education, as guaranteed by the Washington State Constitution, and to supporting learning environments that are inclusive, responsive, and reflective of the diverse strengths and needs of students and communities across the state. This 2025 Updated Student Discipline Rules Frequently Asked Questions (FAQ) document is designed to provide clarity and practical guidance regarding the rules that have recently been altered. It explains the purpose and key objectives of the revisions, defines essential disciplinary terms, and distinguishes between discretionary and non-discretionary disciplinary actions. The FAQ also clarifies the procedures, requirements, and limitations governing long-term suspension and expulsion. As a companion to the additional guidance documents available on the Student Discipline webpage, this resource supports schools in the consistent and effective implementation of Washington's student discipline rules.

Sections of this FAQ document include:

- Data & Reporting
- Suspension & Expulsion
- Student Discipline Implementation in Schools
- Definitions
- Resources & Contact Information

### Data & Reporting

#### Why was the term emergency expulsion changed to emergency removal?

In 2023, Washington state law ([RCW 28A.600.495](#)) updated the terminology from "emergency expulsion" to "emergency removal" to reflect the nature of the action more accurately. The law affirms that schools have the authority, when there is sufficient cause, to immediately remove a student whose presence poses an immediate and continuing danger to others, an immediate and continuing threat of substantial disruption of the educational process, or a threat of material disruption, consistent with [WAC 392-400-510](#).



The legislature recognized that the term “emergency expulsion” can harm a student’s reputation and lead to negative assumptions, potentially resulting in harassment or bullying. To avoid this, the term “emergency removal” is now used to emphasize that this is a temporary action intended to allow for proper assessment and response to urgent situations.

Emergency removal is limited to a maximum of 10 consecutive school days. During this period, the student must have access to educational services. Additionally, both emergency removal and any subsequent suspension or expulsion can be appealed.

## **What are the data collection requirements related to student discipline?**

School districts have specific data collection and reporting obligations related to student discipline under state law and rule.

Under [RCW 28A.300.042](#), districts must make student discipline data publicly available and disaggregate the data by student subgroup, including race, ethnicity, gender, disability status, English learner status, low-income status, foster care status, and other categories required by law. The statute is intended to promote transparency and support efforts to identify and address disparities in discipline practices.

In addition, [WAC 392-400-110](#) requires district discipline policies and procedures to be developed and implemented in a manner that is consistent, fair, and proportionate. It also requires districts to collect and annually report discipline data to OSPI in a manner consistent with [RCW 28A.300.042](#). [WAC 392-190-048](#) further outlines annually reported data includes classroom exclusions, in-school and out-of-school suspensions, expulsions, emergency removals, and other disciplinary actions, along with the demographic information necessary for disaggregation. In reviewing this data, each school district or public charter school must determine whether it has disciplined or applied corrective action to a substantially disproportionate number of students within any of the categories identified above. If a school district or public charter school finds that it has disciplined or applied corrective action to a substantially disproportionate number of students who are members of one of the categories identified in this section, the school district or charter school must take prompt action to ensure that the disproportion is not the result of discrimination.

While OSPI does not collect data related to staff perceptions of school safety as part of student discipline reporting, districts are encouraged to regularly review local discipline data alongside other climate and engagement indicators. School and district leadership teams should use multiple data sources to support equitable, data-informed decision-making. This may include conducting root cause analyses, evaluating patterns in exclusionary discipline, guiding student interventions, identifying professional learning needs, and informing adjustments to policies, procedures, and systems.

Statewide data on exclusionary discipline is published by OSPI and disaggregated by district, school, grade level, student demographics, and school year. These publicly available reports provide districts with comparative information to support continuous improvement and alignment with RCW and WAC requirements and can be accessed on [OSPI's Report Card](#) web portal.

## Is there a requirement to monitor discipline data to avoid disparate impacts?

Yes. Washington state civil rights laws require school districts to review disaggregated discipline data, including race and ethnicity, to identify and address any discrimination against students in protected classes, as defined in [RCW 28A.640](#) and [Chapter 28A.642 RCW](#). Under [WAC 392-190-048](#), districts must conduct this review at least annually to ensure fair and equitable treatment of all students. While districts may incorporate this review into broader efforts under student discipline laws, they must also maintain a civil rights lens to ensure compliance and equity. School boards, in collaboration with superintendents and staff, are responsible for examining discipline data and taking corrective action if patterns of disproportionality or discrimination are found.

## Suspension & Expulsion

### Can a school district suspend a student for longer than one academic term or school year?

No, under Washington state law, a student cannot be suspended for longer than one academic term (like a semester or trimester). Any suspension or expulsion from school for more than ten days must have an end date of not more than the length of an academic term, as defined by the school board, from the time of corrective action [RCW 28A.600.020](#). There is no provision in the law to petition to extend a long-term suspension beyond that term.

[WAC 392-400-440](#) further clarifies that kindergarten through fourth grade may **not** be long-term suspended unless they carry or possess a firearm on school premises.

### Can a school district expel a student for longer than one academic term or school year?

Under Washington state law, a student cannot be expelled for longer than one academic term (like a semester or trimester), unless:

- The school follows a specific process to request a petition to extend expulsion for public health or safety reasons, [WAC 392-400-480](#); or,
- Any elementary or secondary school student who is determined to have carried a firearm onto, or to have possessed a firearm on, public elementary or secondary school premises, public school-provided transportation, or areas of facilities while

being used exclusively by public schools, shall be expelled from school for not less than one year under [RCW 28A.600.010](#).

[WAC 392-400-440](#) further clarifies that kindergarten through fourth grade may **not** be expelled unless they carry or possess a firearm on school premises.

## **When and how can a student be expelled for longer than one term?**

Only when the student poses a risk to public health or safety, and the school petitions the district superintendent, who must approve the extension. According to [WAC 392-400-480](#), to extend the expulsion, the school must:

- Explain the behavior and why it poses public health or safety risk.
- Show the student’s academic and discipline history.
- Describe any supports or services the student received.
- Show the student’s progress during expulsion and education plan.
- Propose a new end date; and,
- Include a reengagement plan for the students’ return.

The principal or designee may petition to extend an expulsion only after the development of a reengagement plan under [WAC 392-400-710](#) and before the end of the expulsion. The petition must be reviewed and approved by the district superintendent or their designee. They can only approve if there’s substantial evidence that letting the student return earlier would pose a risk.

For violations of [WAC 392-400-820](#), the principal or designee may petition to extend an expulsion at any time.

## **How long can an extension last?**

Even if granted, the extension cannot go beyond one academic term. There is no limit on overall number of expulsion extensions, so long as no extension is longer than one academic term, and the district re-justifies the extension each year based on “risk to public health or safety,” ([WAC 392-400-480](#)).

## **Are students and families notified of the petition of an extension?**

Yes. The school must notify the student/family within one school business day of submitting the petition. Additionally, with a copy of the petition, the district must communicate the student/families’ rights to have a conference with the superintendent and the right to respond in writing or in person. They also have the right to request a review of the decision by the school board or discipline appeal council ([WAC 392-400-480](#)).

## **Can the student still receive an education during suspension, expulsion, or emergency removal?**

Yes. School districts may not suspend the provision of educational services to a student as a disciplinary action in response to a behavioral violation [RCW 28A.600.015](#). During the

suspension, expulsion, or emergency removal of a student, a school district must provide the student with the opportunity to receive educational services. The educational services must enable the student to:

- Continue to participate in the general education curriculum.
- Meet the educational standards established within the district.
- Complete subject, grade-level, and graduation requirements.

A school district may provide educational services to the student in an alternative setting or modify the suspension or expulsion on a case-by-case basis. These may be in an alternative high school, through one-on-one tutoring, and/or online learning, as long as the services are comparable, equitable, and appropriate to what the student would get in a regular school setting. Districts must consider:

- Meaningful input from students, parents, and the students' educators.
- English language development services, language assistance, special education, accommodations, and related services under Section 504 of the Rehabilitation Act of 1973, or supplemental services designed to support the student's academic achievement.
- Access to any necessary technology, transportation, or resources the student needs to participate fully in the educational services.

As soon as reasonably possible after administering a suspension or expulsion, a school district must provide written notice to the student and parents about the educational services the district will provide. The school district must provide the written notice in person, by mail, or by email. [WAC 392-400-610](#) outlines the required educational services and what districts must provide based on the students' consecutive days of exclusion.

## Student Discipline Implementation in Schools

### What systems exist to support student behavior?

OSPI is committed to partnering with school districts to address inequities in student discipline and to strengthen systems that support positive student behavior. Educators are trained and held accountable for creating inclusive, supportive classroom environments that meet the needs of all learners. When a student is struggling behaviorally, school leaders and district administrators are expected to work collaboratively to identify appropriate supports, interventions, and resources tailored to the student's individual needs.

Washington's updated student discipline rules reinforce this collaborative, student-centered approach by emphasizing prevention, early intervention, and instructional responses to behavior. These rules align with and build upon a range of frameworks, programs, and systems already familiar to educators and embedded in district practice. Examples include:

- **[Multi-Tiered System of Supports \(MTSS\)](#)**, including Positive Behavior Interventions and Supports (PBIS), to provide graduated, data informed behavioral and academic supports.

- **Restorative practices** and **Social Emotional Learning (SEL)** approaches that strengthen relationships, student belonging, and skills for self-regulation.
- **Learning Assistance Program (LAP)** supports that may address behavioral needs connected to academic engagement and access to instruction.
- **Washington Integrated Student Supports Protocol (WISSP)** and other coordinated student support models that align student needs with school- and community-based resources.
- **Cultural Competency, Diversity, Equity, and Inclusion (CCDEI) Standards**, which guide culturally responsive practices and equitable school climates.
- **Teacher and Principal Evaluation Program (TPEP) frameworks**, which reinforce expectations related to classroom management, inclusive instructional practices, and professional responsibility.
- **Trauma-informed and strengths-based approaches** that recognize the impact of adverse experiences on student behavior.

Districts are expected to leverage and align these systems to proactively support student behavior, engage families as partners, and respond to behavioral concerns using developmentally appropriate and equitable strategies. Collectively, these systems are designed to keep students connected to learning, reduce reliance on exclusionary discipline, and promote safe, inclusive, and supportive learning environments for all students.

## What must school districts include in their local student discipline policies, and where can they find guidance?

Under [RCW 28A.600.010](#), each school district board of directors must adopt and periodically review written student discipline policies and procedures that are consistent with federal and state law, including OSPI rules in [Chapter 392-400 WAC](#), and the Washington State School Directors' Association (WSSDA) model discipline policy. In addition, [WAC 392-400-110](#) requires that district discipline policies and procedures:

- Describe the types of behaviors that may result in discipline, including classroom exclusion, suspension, expulsion, and other forms of corrective action.
- Clearly define the district's authority and the due process, parental notice, and procedures that apply to each type of disciplinary action.
- Include procedures for administering discipline in a manner that is consistent, fair, and proportionate to the student's behavior.
- Address how the district will provide educational services during long-term suspension or expulsion.
- Describe grievance and appeal processes available to students and families.
- Be made available to students, families, staff, and the community, including publishing policies and procedures on the district's website in accordance with accessibility requirements.

District policies must also reflect the state's emphasis on classroom management practices that prioritize keeping students engaged in learning. This includes the use of corrective action—disciplinary responses other than classroom exclusion, suspension, or expulsion—as

a first level of response when appropriate. Policies should support educators in using classroom-based interventions and corrective actions to address behavior early, reduce disruption, and minimize reliance on exclusionary discipline, consistent with the requirements and limitations outlined in WAC. Districts and school boards are required to regularly review and update their discipline policies to ensure alignment with current law and consistent implementation across schools and classrooms. For additional support, districts may utilize WSSDA's Featured Policies and Procedures, which provide model policies and procedures aligned with state requirements.

## **How will school districts implement the updated student discipline rules? What role do administrators and educators have in these new rules?**

School districts shall actively collaborate with their respective local school boards to conduct comprehensive reviews and necessary updates of existing student discipline policies and procedures. In collaboration, the administrators and the certificated employees in a school building shall confer at least annually in order to develop and/or review building disciplinary standards and uniform enforcement of those standards, [RCW 28A.400.110](#). Following collaborative engagement, administrators shall determine that appropriate student discipline is established and enforced.

As outlined in [WAC 392-400-330](#) and [RCW 28A.600.020 \(1\)](#), qualified certificated educators hold the highest consideration to the judgement of administering discretionary discipline regarding the conditions necessary to maintain the optimum learning experience. Prior to a classroom exclusion, and except in emergency situations, the educator must first attempt one or more alternative forms of corrective action. Additionally, [RCW 28A.400.110](#) highlights the shared responsibility between administrators and educators to confer annually, to establish criteria for determining when certificated employees are required to complete classes to improve classroom management skills.

This collaborative effort aims to ensure that district practices are fully aligned with current legal requirements, state regulations, and best practices in student discipline. Through this partnership, districts and school boards will work to strengthen policy coherence and clarity, thereby supporting the effective and consistent implementation of disciplinary measures across all schools. Administrators and certificated staff will make informed exclusionary decisions based on clear corrective actions and classroom management aligned to set standards and policies. This process is essential to promote equitable, transparent, and accountable discipline practices that foster safe and supportive learning environments for all students.

## **How will families and community members be involved in the implementation of the updated student discipline rules?**

School administrators have a responsibility to actively create and implement meaningful opportunities for engagement with educators, families, and community members. This collaboration ensures that diverse perspectives inform school policies and practices,

promoting a more inclusive and supportive educational environment. In accordance with [WAC 392-190-048](#), school boards are required to regularly review discipline data to identify any patterns of disproportionality or disparities among student groups. When such disparities are found, school boards must respond promptly and effectively by addressing policies and procedures and influence districts to develop and implement strategies to address these inequities.

This process supports the district's commitment to fairness, equity, and culturally responsive education for all students. By combining ongoing community engagement with data-driven accountability, school leaders and boards work to ensure equitable treatment and positive outcomes for every student.

### **Do the new student discipline rules require an attempt to support the student in meeting behavior expectations before excluding them from the classroom or administering a short-term in-school suspension?**

Yes. Under Washington state's student discipline rules, educators are required to utilize alternative corrective action and consider alternative options before removing a student from the classroom. Corrective action includes both disciplinary and non-disciplinary responses taken by a certified educator to address student behavior.

Non-disciplinary corrective actions may include evidence-based interventions and supports designed to help students meet behavioral expectations. These supports are outlined in state laws [RCW 28A.410.270](#), [RCW 28A.405.100](#), and [RCW 28A.410.260](#), and may include strategies like behavior coaching, social emotional learning supports, or positive behavior interventions.

Except in emergency situations, teachers must first try one or more alternative forms of corrective actions before excluding a student from the classroom, [WAC 392-400-330](#).

### **Are schools required to inform parents if students are removed from school?**

Under [Chapter 392-400 WAC](#), school boards have clear authority and responsibility to adopt student discipline policies that reflect the needs and values of their local communities. This includes establishing communication practices that promote meaningful family engagement and ensure students and families understand how discipline is administered. Districts are encouraged to develop clear, transparent notification procedures related to classroom removals and other disciplinary actions, consistent with their broader engagement strategies.

School boards play a critical role in fostering collaboration among families, educators, and administrators on matters related to student discipline. By proactively partnering with families and school staff to establish thoughtful communication protocols, boards can help ensure that discipline policies are clear, effective, and aligned with community expectations—reducing confusion and strengthening trust.

At the same time, certain disciplinary actions carry specific notice requirements under state rule. Emergency removals must comply with [WAC 392-400-510](#) through [WAC 392-400-530](#), which require prompt notice to students and parents or guardians. In addition, district policies governing classroom exclusions must include notice requirements consistent with [WAC 392-400-335](#).

The updated discipline rules provide districts with flexibility to determine locally appropriate notification practices for classroom removals, while maintaining required notice protections for emergency removals and other exclusionary actions as outlined in Chapter 392-400 WAC.

### Can parents request an appeal for suspension or expulsion?

Yes, under [WAC 392-400-465 – Appeal Process](#), parents, guardians, and students have the right to appeal against a suspension or expulsion decision. An appeal may be submitted orally or in writing to the school district’s superintendent or their designee. The appeal must be requested **within five school business days** from the date the written notice of suspension or expulsion was received. Once your appeal is received, the district will schedule a hearing and provide you with:

- The date, time, and location of the hearing.
- Information about your rights, including access to records and evidence.
- An opportunity to participate in a reengagement meeting, which focuses on supporting the child’s return to school.

Additionally, a request for a review and reconsideration of the appeal decision is allowed under [WAC 392-400-470](#), and must be requested **within ten school business days** from the date the school district provides the written appeal decision to the student and parents.

## Definitions

### Behavior violation

Means a student's behavior that violates a school district's discipline policy adopted under [WAC 392-400-110](#).

### Classroom exclusion

Classroom exclusion is defined as the exclusion of a student from a classroom and instructional or activity area for a discretionary behavioral violation that creates a disruption of the educational process in violation of the district disciplinary policies subject to the requirements in [WAC 392-400-110](#).

However, it does not encompass brief instances where a teacher or other school personnel attempts alternative disciplinary measures, provided that the student remains under the supervision of the teacher or other school personnel during this brief duration. This definition is further elaborated in [WAC 392-400-330](#), which outlines the conditions and limitations for administering classroom exclusions.

## Corrective action

Disciplinary and non-disciplinary actions taken by a certificated educator. Non-disciplinary actions include evidence-based interventions and support outlined in [RCW 28A.410.270](#), [RCW 28A.405.100](#), and [RCW 28A.410.260](#) to support the student in meeting behavioral expectations. Except in emergency circumstances, the teacher must first attempt one or more alternative forms of corrective action.

## Culturally responsive

Shares the same meaning as "cultural competency" in [RCW 28A.415.443](#); and includes knowledge of student cultural histories and contexts, as well as family norms and values in different cultures; knowledge and skills in accessing community resources and community and parent outreach; and skills in adapting instruction to students' experiences and identifying cultural contexts for individual students.

## Discretionary discipline

Outlined in [RCW 28A.600.015\(6\)](#), "discretionary discipline" means a disciplinary action taken by a school district for student behavior that violates rules of student conduct adopted by a school district board of directors under [RCW 28A.600.010](#).

## Disruption of the educational process

The interruption of classwork, the creation of disorder, or the invasion of the rights of a student or group of students [WAC 392-400-025](#).

## Emergency removal

According to [WAC 392-400-025](#), "emergency removal" is the removal of a student from school because the student's presence poses an immediate and continuing danger to other students or school personnel, or an immediate and continuing threat of material and substantial disruption of the educational process, subject to the requirements in [WAC 392-400-510](#) through [WAC 392-400-530](#).

## Expulsion

According to [WAC 392-400-025](#), "expulsion" means a **denial of admission** to the student's current school placement in response to a behavioral violation, subject to the requirements in [WAC 392-400-430](#) through [WAC 392-400-480](#).

## Length of an academic term

The total number of school days in a single trimester or semester, as defined by the school board [WAC 392-400-025](#).

## Non-discretionary discipline

Non-discretionary discipline constitute action taken in response to any of the following:

- A violation of [RCW 28A.600.420](#);
- An offense in [RCW 13.04.155](#);
- Two or more violations of [RCW 9A.46.120](#), [RCW 9.41.280](#), [RCW 28A.600.455](#), [RCW 28A.635.020](#), or [RCW 28A.635.060](#) within a three-year period; or
- Behavior that adversely impacts the health or safety of other students or educational staff.

## Parent

### 1. Parent means:

- a) A biological or adoptive parent of a child.
- b) A foster parent.
- c) A guardian generally authorized to act as the child's parent, or authorized to make educational decisions for the student, but not the state, if the student is a ward of the state.
- d) An individual acting in the place of a biological or adoptive parent including a grandparent, stepparent, or other relative with whom the student lives, or an individual who is legally responsible for the student's welfare; or
- e) A surrogate parent who has been appointed in accordance with [WAC 392-172A-05130](#).

2. Except as provided in a) of the above subsection, if the biological or adoptive parent is attempting to act as the parent under this chapter, and when more than one party meets the qualifications to act as a parent, the biological or adoptive parent must be presumed to be the parent unless he or she does not have legal authority to make educational decisions for the student.

- a) If a judicial decree or order identifies a specific person or persons under subsection 1. a) through d) of this section to act as the "parent" of a child or to make educational decisions on behalf of a child, then that person or persons shall be determined to be the "parent" for purposes of this section.
- b) The use of the term "parent," includes adult students whose rights have transferred to them pursuant to [WAC 392-172A-05135](#).

## Restorative Justice Practices

There is currently no legal definition of "restorative practices" specific to Washington state K–12 education. However, the [International Institute for Restorative Practices](#) defines it as "a transdisciplinary field of study that examines how to strengthen relationships between individuals and improve social connections within communities. Restorative practices are used in conflict resolution, creating dialogue, bridging gaps across divided groups, and building cultures where all members have a voice, work more effectively together, and become more innovative."

## School business day

Any calendar day, except Saturdays, Sundays, or any federal, state, or school holiday, when the office of the superintendent of a school district is open to the public for business [WAC 392-400-025](#).

## School board

The governing board of directors of a local school district [WAC 392-400-025](#).

## School day

Any day or partial day that students are in attendance at school for instructional purposes [WAC 392-400-025](#).

## Suspension

"Suspension" means a denial of attendance in response to a behavioral violation from any subject or class, or from any full schedule of subjects or classes, but does not include expulsions or emergency removals, [WAC 392-400-025](#):

- **"In-school suspension"** means a suspension in which a student is excluded from the student's regular educational setting but remains in the student's current school placement for up to 10 consecutive school days, subject to the requirements in [WAC 392-400-430](#) through [WAC 392-400-475](#).
- **"Long-term suspension"** means a suspension in which a student is excluded from school for more than 10 consecutive school days, subject to the requirements in [WAC 392-400-430](#) through [WAC 392-400-475](#).
- **"Short-term suspension"** means a suspension in which a student is excluded from school for up to 10 consecutive school days, subject to the requirements in [WAC 392-400-430](#) through [WAC 392-400-475](#).

## Additional Resources & Contact information

[Chapter 392-400 WAC](#) Student Discipline outlines the rights and responsibilities of students, parents/guardians, and districts when discipline is administered at school. Other sections include guidance on:

- Purpose, Authority, Application, Definitions
- Discipline Policies
- Classroom Exclusions
- Suspensions and Expulsions
- Emergency Removals
- Educational Services
- Reengagement
- Additional Due Process Protection

## **3241/3241P – Student Discipline**

In accordance with [RCW 28a.345.090](#), school districts are required to adopt and enforce discipline policies and procedures consistent with the WSSDA model policy by the beginning of the 2017–18 school year.

The WSSDA model policy and procedure 3241P pertains to student discipline in Washington public schools. This policy outlines the procedures for implementing student discipline, including terms like "behavioral violation" and "discretionary discipline." Key updates include the addition of "corrective action" and clarifications regarding long-term suspensions and expulsions, aligning with state regulations. For more detailed information, you can access the full policy through the WSSDA website.

## **Cultural competency, diversity, equity, and inclusion (CCDEI) standards**

Through [ESSB 5044](#), a bill passed by the Legislature in April 2021, Washington has the opportunity to ensure every educator in our state is prepared, trained, and equipped with the knowledge, skills, and tools necessary to create stronger, more supportive student-centered learning environments.

## **Office of Superintendent of Public Instruction (OSPI) – Student Discipline**

Visit our student discipline webpage for additional information, relevant resources, data requirements, and expanded content on student discipline and related systems (e.g., attendance, special education, equity and civil rights).

For questions or concerns not addressed in this document or on our webpage, please contact our shared inbox at [StudentDiscipline@k12.wa.us](mailto:StudentDiscipline@k12.wa.us) for assistance.

## **Governor’s Office of the Education Ombuds (OEO) – School Discipline**

For support and information on options around unresolved policy issues impacting your individual student, and an opportunity to talk through your concerns, Ombuds can assist you to ensure their needs are addressed.